

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: <u>5/26/05</u>		2 Serial/Patent # <u>09/372,835</u>									
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
	Filing			\$							
	Amendment			\$							
	Extension of Time			\$							
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	Issue			\$							
	Cert of Correction/Terminal Disc.			\$							
	Maintenance			\$							
	Assignment			\$							
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			7 TOTAL AMOUNT OF REFUND	\$ 400							
10 REASON:		8 TO BE REFUNDED BY:									
	Overpayment	Treasury Check									
	Duplicate Payment	Credit Deposit A/C #:									
<input checked="" type="checkbox"/>	No Fee Due (Explanation):	9 <table border="1" style="display: inline-table; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 20px;">5</td> <td style="width: 20px;">0</td> <td style="width: 20px;">--</td> <td style="width: 20px;">1</td> <td style="width: 20px;">4</td> <td style="width: 20px;">0</td> <td style="width: 20px;">2</td> </tr> </table>			5	0	--	1	4	0	2
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PTO <i>used</i>											
11 REFUND REQUESTED BY: <u>C.T. Donnell</u>											
TYPED/PRINTED NAME: <u>C. T. Donnell</u>		TITLE: <u>Pet. Atty</u>									
SIGNATURE: <u>C. T. Donnell</u>		PHONE: <u>272-3211</u>									
OFFICE: <u>4700</u>											
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****											
APPROVED: <u><i>[Signature]</i></u>		DATE: <u>5/27/05</u>									

*Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:*

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as Express Mail – Post Office to Addressee under Label No. EV 567834844US addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313

Date: April 18, 2005

Name: Elizabeth M. Swift

Signature: *Elizabeth M. Swift*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Donald G. Russell

Serial No.: 09/372,835

Filing Date: August 12, 1999

For: **AN INTERMEDIATE DENSITY MARKER  
AND A METHOD USING SUCH A MARKER  
FOR RADIOGRAPHIC EXAMINATION**

)  
) Examiner: Craig E. Church  
)  
) Confirmation No. 1878  
)  
) Art Unit: 2882  
)  
) Docket No. 97343.00005  
)  
)

**Attn: Christine Donnell**  
**Senior Petition Attorney**  
Office of Petitions  
Mail Stop: Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

**PETITION UNDER 37 CFR 1.182**

Dear Sirs:

Applicant respectfully submits this Petition to assert that the application papers as originally filed are entitled to the filing date of August 12, 1999, and thus to the effective filing date of the grandparent application (serial no. 08/372,658) which is January 13, 1995.

**The procedural history of this matter is as follows:**

On August 10, 1999, Applicant submitted papers comprising the present application including 12 pages of specification, 5 pages of claims, 1 page of abstract, an Associate Power of Attorney, and a 3 page application transmittal identifying the application as a Continuation of prior application 09/934,121, and a check in the amount of \$419. The

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